REMARKS

I. Introduction

With the cancellation without prejudice of claim 16, claims 11, 13 to 15 and 17 to 23 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Objection to Claim 13

Regarding the objection to claim 13, the Examiner will note that this claim has been amended, inter alia, to place the claim in independent form. Accordingly, withdrawal of this objection is respectfully requested.

III. Rejection of Claims 11, 13, 15 to 17 and 20 to 23 Under 35 U.S.C. § 103(a)

Claims 11, 13, 15 to 17 and 20 to 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 5,841,611 ("Sakakima et al.") and U.S. Patent No. 6,248,416 ("Lambeth et al."). It is respectfully submitted that the combination of Sakakima et al. and Lambeth et al. does not render these claims unpatentable for at least the following reasons.

Claim 11 relates to a magneto-resistive layer system including: a magneto-resistive layer stack; and at least one layer arrangement situated in an environment of the magneto-resistive layer stack working on the basis of one of a GMR effect and an AMR effect, which generates a resulting magnetic field acting upon the magneto-resistive layer stack, the layer arrangement including a first magnetic layer, a second magnetic layer, and a non-magnetic intermediate layer separating the first magnetic layer and the second magnetic layer from one another, the first magnetic layer and the second magnetic layer being ferromagnetically exchange-coupled via the intermediate layer; wherein one of: (a) the first magnetic layer is a magnetically soft layer, made of one of CoFe, Co and magnetic alloys containing these materials, and the second magnetic layer is a magnetically hard layer, made of CoSm, and (b) the first magnetic layer is a magnetically hard layer, made of CoSm, and the second magnetic layer is a magnetically soft layer, made of one of CoFe, Co and magnetic alloys containing these materials.

Although Applicants may not agree with the merits of the rejection, to facilitate matters, claim 11 has been amended to recite, in relevant part, that ***the non-magnetic intermediate layer is made of CuAgAu***, and claim 16 has been canceled without prejudice. Support for this amendment may be found, for example, on page 5, lines 24 to 26 of the Specification.

Neither Sakakima et al., nor Lambeth et al. discloses, or even suggests, the above feature. As indicated from column 10, line 57 through column 11, line 9 and from column 12, line 65 to column 13, line 1 of Lambeth et al., a recording medium (10) and transducer (11) of Lambeth et al. may have face-centered-cubic-structured underlayers (14, 20) made of Ag, an Ag alloy, or other materials such as Ag, Cu, Al, Au or a solid solution or alloy combinations thereof. However, Lambeth et al. does not mention the alloy CuAgAu as an underlayer material. Sakakima et al. does not cure the deficiencies of Lambeth et al. with respect to at least the above-mentioned feature. Accordingly, it is respectfully submitted that the combination of Sakakima et al. and Lambeth et al. does not render claim 11 unpatentable for at least these reasons.

Claim 22 contains features analogous to claim 11 and has been amended in a manner analogous to claim 11. Accordingly, it is respectfully submitted that the combination of Sakakima et al. and Lambeth et al. does not render claim 22 unpatentable for at least the reasons set forth above.

As mentioned above, claim 16 has been canceled without prejudice, thereby rendering moot the rejection with respect to this claim.

As for claims 13, 15, 17, 20 and 21 and claim 23, which depend from claims 11 and 22, respectively, and therefore include all of the features of claims 11 and 22, respectively, it is respectfully submitted that the combination of Sakakima et al. and Lambeth et al. does not render these dependent claims unpatentable for at least the reasons set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claims 14, 18 and 19 Under 35 U.S.C. § 103(a)

Claims 14, 18 and 19 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination Sakakima et al., Lambeth et al. and U.S. Patent No. 6,611,034 ("Den"). It is respectfully submitted that the combination of Sakakima

et al., Lambeth et al. and Den does not render these claims unpatentable for at least the following reasons.

Claims 14, 18 and 19 ultimately depend from claim 11 and therefore include all of the features of claim 11. As set forth above, neither Sakakima et al., nor Lambeth et al. disclose, or even suggest, at least the feature of claim 11 that the non-magnetic intermediate layer is made of CuAgAu. Den describes a magnetic device including, inter alia, a laminated structure having ferromagnetic layers and non-magnetic layers. In addition, as indicated in column 6, lines 32 to 37 of Den, the non-magnetic layers may be made of Cu, Ag, Cr, Au or alloys mainly composed of these metals. However, Den nowhere indicates that these non-magnetic layers are made of the alloy CuAgAu. Accordingly, it is respectfully submitted that the combination of Sakakima et al., Lambeth et al. and Den does not render unpatentable claims 14, 18 and 19, which depend from claim 11.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Conclusion

In light of the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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